



## Revenue Information Bulletin

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Individual Income Tax

### 2002, 2003 and 2004 Amended Return Procedure for Claiming the Annual Retirement Income Exemption

Louisiana law allows individuals who are 65 years of age or over to exempt up to \$6,000 of annual retirement income from Louisiana individual income tax. Pension income, annuity income and IRA distributions are all considered annual retirement income.

Under two resolutions approved by the 2005 Louisiana Legislature, certain married taxpayers who file joint income tax returns may be eligible for an increase in the amount of this exemption for tax years 2002, 2003, and 2004. If both spouses included in a joint return were 65 years of age or over in any or all of these years, they are entitled to exclude up to \$12,000 of their combined annual retirement income received during these years. The increased exemption is most likely to be available to those couples where only one spouse received pension income, annuity income or IRA distributions. If all of the following apply the couple **may** be eligible for the increased exemption:

- The taxpayers were a married couple who filed their tax returns as married filing jointly,
- Both spouses were at least 65 years of age during the tax year being amended,
- Their combined annual retirement income was more than \$6,000, and
- The exemption amount allowed on their original return was less than \$12,000.

#### Procedure for Claiming the Exemption

Taxpayers who are entitled to the increased exemption should file an amended return for each tax year. Please print “**SCR 62/HCR 134**” in black ink on the top of the front page of the return.

#### 2002 Amended Returns

Amended returns for the 2002 tax year may be filed at any time during 2006. Amended returns for 2002 cannot be filed after December 31, 2006.

#### 2003 Amended Returns

Amended returns for the 2003 tax year may be filed at any time during 2007. Amended returns for 2003 cannot be filed after December 31, 2007.

#### 2004 Amended Returns

Amended returns for the 2004 tax year may be filed at any time during 2008. Amended returns for 2004 cannot be filed after December 31, 2008.

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**Determining Eligibility for an Additional Exemption Amount**

To determine if you are eligible to receive an additional exemption amount, you will need copies of your 2002, 2003 and 2004 federal 1040 or 1040A and copies of your 2002, 2003, and 2004 Louisiana individual income tax returns (IT-540). Once you have gathered this information, complete the following worksheet separately for each of 2002, 2003 and 2004 tax years during which both taxpayers were 65 or older:

- 1. Pension and annuity income reported on federal Form 1040, Lines 15b and 16b, OR federal Form 1040A, Lines 11b and 12b..... \_\_\_\_\_
- 2. Pension and annuity income claimed on Lines 4B, 4C, 4D1, and 4D2 of Schedule E. .... \_\_\_\_\_
- 3. Subtract Line 2 from Line 1..... \_\_\_\_\_
- 4. If both taxpayers were 65 or over during the year, enter \$12,000. .... \_\_\_\_\_
- 5. Line 3 or Line 4, whichever is less. Enter this amount on Line 4E of Schedule E of your amended return..... \_\_\_\_\_
- 6. Amount claimed on Line 4E of Schedule E of the return you originally filed for the tax year..... \_\_\_\_\_

If the amount on line 5 is **equal to** the amount on line 6, no additional exemption can be claimed.

If the amount on line 5 is **greater than** the amount on line 6 for 2002, 2003 or 2004 you may file an amended return for that year to claim the additional exemption amount. A separate amended return must be filed for each of the 2002, 2003 or 2004 tax years in which the line 5 amount is greater than the line 6 amount. Each amended return may only be filed in the appropriate year listed on page one of this RIB.

Cynthia Bridges  
Secretary